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SUBJECT: BASQUE PARLIAMENT APPROVES PLAN TO SEEK GREATER AUTONOMY

1. (U) Summary. The Basque Regional Parliament surprised Spanish political observers by narrowly approving a proposal by the ruling Basque Nationalist Party (PNV) to seek increased autonomy from the national government. Known as "Plan Ibarretxe," the proposal falls short of calling for an independent Basque state, but would give the Basque Government near total authority within its territory, limited Basque representation at the international level, and official recognition of the Basque people as a separate nation. Plan Ibarretxe was not expected to win the necessary majority in the Basque Parliament, but unexpected support by three deputies affiliated with the outlawed ETA political front group Batasuna carried the day for the Basque nationalists. The plan now moves to the national Parliament for consideration. If approved at the national level, voters in the Basque Region would have to approve or reject the plan via a referendum. Both the ruling Socialists (PSOE) and the opposition Popular Party (PP) have signaled their intent to reject Plan Ibarretxe in Parliament, effectively vetoing further action on the PNV proposal. However, the Basque Government claims it will follow through with a popular referendum on its plan regardless of the vote in Madrid, setting the stage for a major constitutional crisis.

2. (SBU) President Zapatero has thus far ignored calls by the PP to terminate Plan Ibarretxe on legal grounds by bringing it before the Constitutional Court, calculating that by allowing the political process to play itself out he can undermine Basque nationalist claims that Madrid is intolerant and undemocratic. The PSOE hopes to parlay Ibarretxe's defeat in the national Parliament into electoral gains during Basque Region elections in May. The PNV, which is in a coalition with two small leftist parties, is likely to use a political defeat in Madrid to stoke nationalist sentiments as part of its effort to win an outright majority in the Basque legislature. Apart from being an enormous political challenge for Zapatero, the passage of Plan Ibarretxe is likely to further widen the deep rift between Basque nationalists and Basque supporters of the current autonomy statutes. End Summary.

//PLAN IBARRETXE: SEEKING BASQUE "FREE ASSOCIATION" WITH SPAIN//

3. (U) Plan Ibarretxe, named after its author, Basque Regional President Juan Jose Ibarretxe, does not call for the creation of an independent Basque state. It is a call for the re-negotiation of the existing autonomy statute (the "Statute of Gernika," negotiated during Spain's transition to democracy) to convert the Basque Region from an "autonomous community" such as Catalonia or Galicia into a region in "free association" with Spain. It would enjoy near total autonomy on internal political and social matters, as well as limited representation at the international level.

Key points include:

- A definition of the Basque people as a "nation" residing in the nation-states of Spain and France.
- The declaration that the Basque "nation" has the right of self-determination, based on consultation with the residents of Basque Country, Navarra, and Iparralde (French Basque region).
- The recognition by Spanish and Basque authorities of both Spanish and Basque nationalities.
- Increased Basque representation in EU institutions.
- Control by the Basque Government over: education, tax collection, economic policy, health care, natural resources, and implementation of national (Spanish) laws.
- The central government would retain control over: national defense, foreign policy, customs, control of airspace, and legal jurisdiction in criminal matters, intellectual property cases, and in the administration of civil law.

//A SURPRISE VICTORY//

4. (U) The conventional wisdom among political observers was that the PNV would fail to win a vote on Plan Ibarretxe in

the Basque Parliament, but would then use that loss to challenge the nationalist credentials of its opponents in Basque elections in May. This view was predicated on the fact that three deputies affiliated with the banned ETA political front group Batasuna had stated their opposition to Plan Ibarretxe as insufficient and unlikely to prevail in Madrid. (NOTE: Batasuna was disbanded in 2002 under the Law of Political Parties, but Batasuna deputies in political assemblies were allowed to retain their seats as members of "Sozialista Abertzaleak," which is simply another name for Batasuna. END NOTE.) However, Batasuna's support for Plan Ibarretxe in a procedural vote in early December raised suspicions that the PNV had secretly negotiated Batasuna's support for the key vote on December 30. This was confirmed when the measure passed by a 39 to 35 vote after hours of emotional debate. Batasuna leader Arnaldo Otegi said that he had backed Ibarretxe despite his personal misgivings because of "the desire of the Basque people to be heard."

15. (U) Under the terms of the current autonomy statute, Plan Ibarretxe now goes to the national Parliament to be debated and submitted to a vote. The debate will likely begin in late February. If the measure were approved at the national level, it would permit the Basque Government to organize a referendum on Plan Ibarretxe. However, there is little chance Ibarretxe will reach this next step, since both the PSOE and the PP strongly oppose PNV efforts to increase the Basque Region's already considerable independence. If the plan is rejected by the national Parliament, there is no recourse for the PNV and the project would have no legal standing. However, Juan Jose Ibarretxe declared that Basque Government would proceed with a referendum regardless of whether the plan is approved or rejected in Madrid, arguing that it would be undemocratic to deny Basque voters the opportunity to determine the nature of their relationship with the GOS. Calling a referendum without the approval of the national Parliament would be a criminal act punishable by imprisonment or other penalties.

//NEGATIVE REACTIONS//

16. (U) Both the PSOE and the PP responded to the passage of Plan Ibarretxe by reiterating their determination to preserve the existing autonomy statutes and attacking the PNV for accepting the support of Batasuna deputies who have refused to renounce ETA terrorism. Basque President Ibarretxe retorted that he had accepted Batasuna's support for his plan just as the PP and PSOE would have accepted Batasuna's vote against the PNV proposal. PP leaders called on the GOS to sidetrack Plan Ibarretxe before it reached Parliament by referring the matter to Spain's Constitutional Court, claiming Ibarretxe was secessionist and therefore unconstitutional. Zapatero rejected the PP recommendation, saying his Government would refuse to negotiate with the PNV on the autonomy statutes, but would let Plan Ibarretxe proceed to the national Parliament in line with existing legal provisions.

17. Although Zapatero agreed to meet Ibarretxe in early January, he said that the GOS would not agree to the "government to government" talks on Ibarretxe requested by the PNV. He told journalists on January 1 that "there is no space for this plan within the Spanish Constitution. It is a thing of the past and should have been withdrawn long ago." GOS Minister for Public Administration Jordi Sevilla told journalists that the Government's aim is for "the Basque people to defeat the plan themselves" by rejecting the PNV in the May regional elections. Zapatero thereby hopes to undermine Basque nationalist claims that the central government is both undemocratic in its actions and deaf to the legitimate aspirations of the Basque people. However, Zapatero said the GOS would consider legal action if the Basque Government chose to proceed with a referendum after Plan Ibarretxe had been considered (and rejected) by the national Parliament. Perhaps to show the Government's mettle, Attorney General Conde Pumpido announced that the GOS would pursue charges against Batasuna leaders, including Arnaldo Otegi, for organizing an "illegal" meeting of the group in November during which participants expressed support for dead or jailed ETA members.

//A DANGEROUS COURSE//

18. (SBU) This is the most significant domestic political crisis faced by Zapatero since he took office in April 2004. He is gambling that by giving the proposal a hearing in Parliament that Plan Ibarretxe will fail due to its legal and political contradictions without undue intervention on the part of the GOS. However, if the PNV ignores the decision of the national Parliament and carries out a referendum on Plan Ibarretxe as threatened, it will present the GOS with a serious constitutional crisis and expose Zapatero to opposition recriminations that he should have acted more forcefully. Moreover, the PNV's challenge to Madrid's central authority calls into question GOS plans to "review" and possibly reform autonomy statutes with other regions, a

move widely interpreted as a GOS concession to PSOE-allied regionalist parties in Catalonia and elsewhere in Spain.

19. (SBU) Basque civil society faces an even greater challenge than Zapatero. With radical Batasuna openly backing an initiative of the moderate PNV, the divisions between Basque nationalists and their Basque "consitutionalist" opponents are greater than ever. The Basque electorate is divided roughly in half between the two groups. The constitutionalists believe that Batasuna's role in the approval of Plan Ibarretxe has exposed the PNV as apologists for violent radical nationalists and that Plan Ibarretxe is only the first step in a move toward eventual secession from Spain. Already, PP leaders in the constitutionalist stronghold of Alava have said they would not accept the implementation of Plan Ibarretxe. Meanwhile, the PNV argues that by coopting part of ETA's political message, it is siphoning off the terrorist's political support and drawing would-be radicals into the legitimate political arena. The legal and political sparring over Plan Ibarretxe is likely to dominate the Spanish political scene through the May regional elections.  
MANZANARES